

REMARKS

Introduction

In response to the Office Action dated January 2, 2008, Applicants have amended claims 1, 5, and 8. Support for amended claims 1, 5, and 8, is found in, for example, Fig. 6(b) and pg. 42, line 4-pg. 43, line 9. Care has been taken to avoid the introduction of new matter. In view of the foregoing amendments and the following remarks, Applicants respectfully submit that all pending claims are in condition for allowance.

Claim Rejections Under 35 U.S.C. § 102

Claims 1, 2, 4, 7, and 8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,148,130 to Lee et al. (hereinafter "Lee"). Amended claim 1 recites, in part, "...said optical fiber cores are compression bonded to the at least one tape layer, and the adhesive layer is interposed between said optical fiber cores and the at least one tape layer." Amended claim 8 recites, in part, "...compression bonding said arranged optical fiber cores with at least one film base to interpose an adhesive layer between said arranged optical fiber cores and the at least one film base."

The Office Action asserts that Lee discloses a ribbon-like optical fiber core assembly including a plurality of optical fiber cores 14 arranged planarly, at least one tape layer (24 and 26) for integrating the optical fiber cores into one body. The Office Action further asserts that Lee discloses a tape layer including a film base and an adhesive layer. The Examiner avers that the adhesive layer is the tape and the adhesive tape. The Office Action asserts that Lee discloses that the adhesive layer is interposed in the gaps as a result of compression bonding after which the optical fiber cores are covered by the at least one film base in Fig. 2.

In Lee, an adhesive tape is applied over the optical fiber cores. Contrary to the Examiner's assertion, the claimed tape layer is *distinct* from the claimed adhesive layer. Lee is *silent* regarding a **separate** tape layer. Lee only adheres the adhesive tape to the optical fiber cores. According to the claimed subject matter per amended claims 1 and 8, the optical fiber cores are compression bonded to a tape layer or film base, which interposes the adhesive layer between the optical fiber cores and the tape layer or film base. However, Lee does not disclose or remotely suggest the present claimed structural limitation.

Further, Lee is *silent* regarding the tape layer having a tensile strength that is higher than an adhesive force of the tape layer to the optical fiber cores, as required in amended claim 1. Lee fails to disclose or suggest, at a minimum, "...at least one tape layer for integrating said plurality of optical fiber cores into one body, wherein said at least one tape layer has a tensile strength higher than an adhesive force of said at least one tape layer to said plurality of optical fiber cores, said optical fiber cores are compression bonded to the at least one tape layer, and the adhesive layer is interposed between said optical fiber cores and the at least one tape layer," as recited in amended claim 1. Lee fails to disclose or suggest the step of, "...compression bonding said arranged optical fiber cores with at least one film base to interpose an adhesive layer between said arranged optical fiber cores and the at least one film base," as recited in amended claim 8.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently (noting that "inherency may not be established by probabilities or possibilities," *Scaltech Inc. v. Retec/Tetra*, 178 F.3d 1378 (Fed. Cir. 1999)), in a single prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the forgoing, it is submitted that Lee does not anticipate amended claims 1 and

8, nor any claim dependent thereon. The dependent claims are allowable for at least the same reasons as claims 1 and 8.

Claim 5 stands rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,295,400 to Shahid. Amended claim 5 recites, in part, "...said flexible film further comprises an adhesive layer, said optical fibers are compression bonded to said flexible film, and the adhesive layer is interposed between said optical fibers and said flexible film."

Shahid describes applying adhesive to the exposed array of optical fibers and applying flexible film to the combination of the adhesive and the exposed array of optical fibers (col. 6, line 67-col. 7, line 1). Shahid describes applying the adhesive by spraying or coating (col. 7, lines 1-3). Fig. 3 of Shahid shows the flexible film contacting the optical fibers in limited points of contact, not bonded to the optical fibers. Thus, Shahid is *silent* regarding the optical fibers being compression bonded to the flexible film.

Shahid fails to disclose or suggest, at a minimum, "...said flexible film further comprises an adhesive layer, said optical fibers are compression bonded to said flexible film, and the adhesive layer is interposed between said optical fibers and said flexible film," as recited in amended claim 5.

Claim Rejections Under 35 U.S.C. § 103

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee, and further in view of U.S. Patent No. 5,253,318 to Sayegh et al. (hereinafter Sayegh). Claim 3 depends from claim 1 and includes all of the features of that claim plus additional features, which are not taught or suggested by the cited references. Therefore, for at least these reasons, it is respectfully submitted that claim 3 is also patentably distinguishable over the cited references.

Claims 9-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee in view of Shahid. Claims 9-14 depend from claim 1 and include all of the features of that claim plus additional features, which are not taught or suggested by the cited references. Therefore, for at least these reasons, it is respectfully submitted that claims 9-14 are also patentably distinguishable over the cited references.

Withdrawal of the foregoing rejections is respectfully requested.

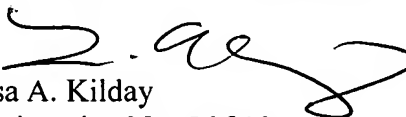
Conclusion

In view of the above amendments and remarks, Applicants submit that this application should be allowed and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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